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JUL 26 2021

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY UAB
DEPUTY CLERK

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Fernando Gastelum,

Plaintiff,

vs.

Jackson Iv LLC dba Hampton Inn &
Suites Sacramento at CSUS,

Defendant.

Case No.: 1:21cv01130 NONE
SKO

COMPLAINT

RECEIVED

JUL 26 2021

CLERK U.S. DISTRICT COURT
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DEPUTY CLERK

I. STATEMENT OF CLAIM

1. My name is Fernando Gastelum. I am 61 years old. I am missing a leg and use a wheelchair for mobility.
2. Defendant owns or operates a hotel at 1875 65th Street, Sacramento, California 95819 (Hotel).
3. I booked an accessible room at the Hotel for the night of June 30, 2021.
4. When I came to the Hotel, I noted that it was not compliant with the Americans with Disabilities Act and the California's civil rights laws:
 - a. Cabinets in guest room require pinching and tight grasping to openThis condition makes it more difficult for me to open the cabinets.

- b. Doors require twisting of the wrist. This condition makes it more difficult for me to open the doors from my wheelchair.
 - c. Shower requires two hands to operate This condition makes it more difficult for me to operate it in light of my prosthetic leg.
 - d. Doors require greater than five lbs of force. This condition makes it more difficult for me to open the doors from my wheelchair position.
 - e. Unsecured carpets. This condition makes it more difficult to roll the wheelchair over uneven surface.
 - f. No dispersion of accessible parking to all accessible entrances. This condition makes it more difficult for me to access accessible entrances from accessible parking.
5. I was denied equal access to the Hotel because the Hotel did not comply with disability and civil rights laws.
 6. I will not return back to the Hotel until it becomes fully compliant with federal and state disability laws.

II. RELIEF I REQUEST

1. Order Defendant to comply with the ADA and California law or close its Hotel.
2. Order Defendant to pay my cost and expenses. If I retain a lawyer, then also my lawyer's fees.
3. Damages under California law for \$4,000 per violation for a total to be determined at a hearing.
4. Other relief that I am entitled to.

1 **III. REQUEST FOR JURY TRIAL**

2 I request a jury trial.

3 DATED this 20th day of July, 2021

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5 _____
Fernando Gastelum